

# **BAY COUNTY BOARD OF COMMISSIONERS**

## **Veterans Briefing Packet**

**Prepared by:  
Office of the  
Bay County Executive  
September 18, 2007**

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# **DESCRIPTION OF CURRENT BAY COUNTY PROGRAMS**

## Bay County Veterans Council

American Legion, Post 18

Amvets, Post 22

Disabled American Veterans, Chapter 9 (DAV)

Military Order of the Purple Heart, Chapter 514

Polish Legion of American Veterans, Post 162

Veterans of Foreign Wars, Post 10917

Veterans of Foreign Wars, Post 6950

Vietnam Veterans of America, Chapter 494

American Legion, Post 249

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BAY COUNTY  
SERVICE HOURS FOR VETERANS

Disabled American Veterans Department Field Service Officer	Thursday (9:00 - 3:00) (Except 4 <sup>th</sup> Thursday ea. Month)
American Legion Service Officer	Monday (10:00 - 3:00)
Department of Michigan Marine Corps League - Field Service Officer	Tuesday (9:00 - 3:00)
Michigan Veterans Trust Fund Service Officer	M, T, Th, F (9:00 - 11:00)
Bay County Veterans Affairs Volunteer	M, T, W, Th, F (9:00 - 3:30)

## VETERANS' TRUST BOARD

### Budget Narrative

The Michigan Veterans' Trust Fund was established during World War II to provide emergency assistance to Michigan Veterans. The Bay County Veterans' Trust Fund is financed by this fund.

The Bay County Veterans' Trust Fund is governed by a four-member board which is elected by the members of various veterans organizations throughout Bay County. Board members serve a two year term.

Recipients of emergency assistance must meet the eligibility requirements as defined by state law. Assistance is usually provided through the payment of bills to meet the immediate emergency needs of veterans. This consists of the payment of medical, prescription, food, housing, clothing, telephone and transportation bills.

See also:   General Fund: Veterans Burial (101.00-681.00)  
              General Fund: Soldiers & Sailors Relief (293.00-689.00)

## **SOLDIERS AND SAILORS RELIEF**

### **Budget Narrative**

Expenditures for soldiers and sailors relief are administered by a three member county Soldiers and Sailors Relief Commission who are appointed by the county probate judge.

The Soldiers and Sailors Relief Commission is responsible for providing emergency assistance to eligible veterans. The assistance is generally provided in the form of food, shelter or clothing. Relief is also provided for medical and transportation expenses.

The Finance Department oversees the expenditures in this activity after submission for payment by the Commission.

This commission also oversees veteran's burial.

Other relief services are provided to veterans through the Veterans' Trust Fund.

See also: Veterans Trust Fund (294.00-683.00)  
Veterans Burial (101.00-681.00)

Soldiers and Sailors Relief activity under General Fund was moved to Special Revenue Fund as a result of the 2006 budget process. General Fund will still annually transfer funds to the Soldiers and Sailors Relief Fund (293.00).

## **VETERAN'S BURIAL**

### **Budget Narrative**

Expenditures for veteran's burial are administered by a three member county Soldiers and Sailors Relief Commission who are appointed by the County probate judge.

The Soldiers and Sailors Relief Commission can authorize up to \$300 for the burial expenses of any veteran who dies and meets the provisions of Public Act 225 of 1911 as amended, MSA 4. 1321 et. seq. of 1978.

The Finance Department oversees the expenditures in this activity after submission for payment by the Commission.

This Commission also oversees veteran's emergency relief.

Other relief services are provided to veterans through the Veteran's Trust Fund.

SEE ALSO: Soldiers and Sailors Relief (293.00-689.00)  
Veteran's Trust Fund (294.00-683.00)



## ADMINISTRATION DIVISION ON AGING

### Budget Narrative

The Administration activity of the Division on Aging, a Division of the Health Department, is responsible for planning, coordinating, and implementing programs of senior citizens. This process involves identifying the needs of the older people; evaluating existing services and resources; defining service gap areas and coordinating plans with other agencies to provide services to senior citizens.

The Division on Aging also plays an advocacy role for senior citizens by working directly with local units of government and service groups; providing representation on inter-agency committees; working with other service agencies as well as police, fire and emergency units.

Inquiries as to what services are available to senior citizens in Bay County are handled by the information and referral workers within the Division.

The Division on Aging operates a handyman service to assist senior citizens with non-routine and seasonal tasks such as installing storm windows or screens, and completing other minor repair jobs around the home.

The Division on Aging provides meals for the participants of the Golden Horizons Adult Day Care Program. This program is funded by a grant from the Department of Community Health to Bay-Arenac Community Mental Health.

A Volunteer program was started as a new program in 1990, and is included in the Administrative Activity.

Special events such as the Senior Olympics and the volunteer dinner are budgeted in the administration budget. Cost for a Prescription Discount Card and related Prescription Program Promotion and Outreach are included in this budget.

The printing and postage costs for *The Wonderful Times* newsletter are included in the administration budget.

Items that are planned to help promote and market the Division on Aging and its programs are included in this budget.

**BAY COUNTY CURRENT FINANCIAL  
SUPPORT FOR VETERANS  
FY 2005 - FY 2007**

## COUNTY OF BAY

	<u>2005</u>		<u>2006</u>		<u>2007</u>
	<u>Budgeted</u>	<u>Spent</u>	<u>Budgeted</u>	<u>Spent</u>	<u>Budgeted</u>
<b>Veterans Burial</b> 681.00	\$94,165	\$93,043	\$94,165	\$90,939	\$93,075
<b>Conventions</b> 682.00	\$1,000	\$2,000	\$2,000	\$0	\$2,000
<b>Soldiers &amp; Sailors Relief</b> 689.00/693.00	\$30,330	\$29,205	\$32,355	\$29,802	\$32,660
<b>Veterans Trust Fund *</b> 294.00	\$40,000	\$30,059	\$40,000	\$33,995	\$32,660

\*Funded from Michigan Veterans Trust Fund

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## **MILLAGE ISSUES**

### **What would a millage generate?**

1/10 mills would generate approximately **\$301,415** per Bay County's Equalization Department.

### **Applicable case law on levying millage.**

Lee v Macomb County Board of Commissioners, 464 Michigan 726, 629 NW2d 900 (2001) - held that levying is discretionary.

# **MICHIGAN COUNTIES WITH DEPARTMENTS OF VETERANS AFFAIRS**

# 65 out of 83 Counties have a Veterans Service Office



\*Blue indicates counties with Veterans Benefits Counseling Offices

# Of the 65 Counties with CVSO 37 provide full time VB Counseling

■ Alpena	■ Isabella
■ Barry	■ Jackson
■ Berrien	■ Kalamazoo
■ Branch	■ Kent
■ Calhoun	■ Lapeer
■ Cheboygan	■ Leelanau
■ Chippewa	■ Lenawee
■ Clare	■ Livingston
■ Clinton	■ Macomb
■ Dickenson	■ Midland
■ Eaton	■ Monroe
■ Genesee	■ Oakland
■ Gladwin	■ Ogemaw
■ Gogebic	■ Sanilac
■ Grand Traverse	■ St Clair
■ Hillsdale	■ Tuscola
■ Huron	■ Washtenaw
■ Ingham	■ Wayne

# 29 have part-time VB Counseling

■ Alcona  
■ Alger  
■ Antrim  
■ Baraga  
■ Benzie  
■ Cass  
■ Charlevoix  
■ Delta  
■ Emmet  
■ Gratiot  
■ Houghton  
■ Ionia  
■ Iosco  
■ Iron  
■ Kalkaska

■ Mackinaw  
■ Manistee  
■ Mecosta  
■ Menominee  
■ Montmorency  
■ Muskegon  
■ Newaygo  
■ Ontonagon  
■ Otsego  
■ Presque Isle  
■ Roscommon  
■ Schoolcraft  
■ Shiawassee  
■ St. Joseph



# 17 Counties without CVSO

- |             |             |
|-------------|-------------|
| ■ Allegan   | ■ Missaukee |
| ■ Arenac    | ■ Montcalm  |
| ■ Bay       | ■ Oceana    |
| ■ Crawford  | ■ Osceola   |
| ■ Keweenaw  | ■ Ottawa    |
| ■ Lake      | ■ Oscoda    |
| ■ Luce      | ■ Saginaw   |
| ■ Marquette | ■ VanBuren  |
| ■ Mason     |             |



## Michigan Association of County Veterans Counselors

[MACVC Home](#) | [County Counselors](#) | [Links](#) | [New Member Application](#) | [Member Log In](#)

### Mission Statement

*The mission of the Michigan Association of County Veterans Counselors is to assist veterans and their families in obtaining any and all county, state, and federal benefits to which they are entitled.*

This service is best provided through a local veterans office where the veterans programs and assistance is consolidated into an easily accessible "one-stop shopping" location.

Trained and accredited county counselors develop and represent veterans disability and other claims. We utilize and coordinate emergency assistance from the Michigan Veterans Trust Fund and county Veterans Relief Fund. We manage the county veterans burial allowance program, as well as file for V.A. insurance, burial markers, and other death benefits for veterans survivors. Such offices are an integral part of the community and its human services network, and can also refer veterans into other appropriate programs, as well as represent veterans to the community. We may host part-time service from related agencies, such as a Disabled Veterans Outreach Worker from the Michigan Department of Career Development, or a mental health counselor for veterans from the V.A. Vet Centers or from Community Mental Health.

Because we believe the local county veterans office is so important for the veterans of Michigan to receive the assistance they deserve, our goal is to seek legislation mandating the existence and funding of such a consolidated County Department of Veterans Affairs in each county, based upon the veteran and dependent population and need.

Finally, the goal of the Michigan Association of County Veterans Counselors is to codify all existing laws into one viable law.

*Contact: E-mail or postal mail: Chuck Lerchen, 2650 LaFranier Road Traverse City, MI 49686-8972*

# **STATE SERVICES TO VETERANS**



[Michigan.gov Home](#)

[DMVA Home Site](#) | [Sitemap](#) | [FAQ](#) | [DMVA Jobs](#) | [Contact DMVA](#)

[Search](#)



## VETERANS AFFAIRS

- > [Veterans Information](#)
- > [County Contacts for Veterans](#)
- > [Grand Rapids Home for Veterans](#)
- > [D.J. Jacobetti Home for Veterans, Marquette MI](#)
- > [Military Retirement](#)
- > [Contact Veteran Affairs](#)
- > [Michigan Vietnam Monument](#)

## INSIDE DMVA

## COMMUNITY AND YOUTH PROGRAMS

## NEWS AND REPORTS

## MICHIGAN NATIONAL GUARD

## VOLUNTEER DEFENSE FORCE

**Support  
Our  
Military  
Families  
And  
Our  
Veterans  
with  
Tax Deductable  
Donations**



## MEET THE DIRECTOR



Brigadier General Carol Ann Fausone

"The Department of Veterans Affairs endeavors to provide the best care and service to Michigan veterans." Brig. Gen. Fausone

## State Healthcare

- [Grand Rapids Veterans Nursing Home](#)
- [Marquette Veterans Nursing Home](#)
- [State Veterans Homes Board of Managers](#)  
Responsibilities and current members of the board that oversees the state's two homes for veterans.

## Financial Assistance

- [Tuition Grant Procedure Brief](#)  
Financial assistance for the children of veterans.
- [Emergency Grants](#)  
Temporary assistance for emergencies and hardships.
- [Michigan National Guard Family Support Funds](#)  
Provides for up to a \$500 grant to soldiers and airmen and their family members.

## Federal Benefits

- [2007 Federal Benefits for Veterans and Dependents](#) PDF
- [State Service Officers](#)
- [Survivor Benefits](#)
- [Health Care](#)
- [Home Loans](#)
- [Education/GI Bill](#)
- [Locations of VA facilities](#)
- [Burial and Memorial benefits](#)

## History & Statistics

- [Iraqi Freedom and Enduring Freedom Casualties](#) PDF
- [Vietnam Memorial](#)
- [Sons of the American Revolution](#)
- [US Census Bureau, Veterans 2000](#) PDF
- [Current State veteran population](#) PDF

## Discharges & Awards

- [Replacement of Discharge/Awards](#)
- [National Archives and Records Administration \(NARA\)](#)

## More State Benefits

- [2006 MICHIGAN 1040CR-2 Homestead Property Tax Credit Claim for Veterans and Blind People - INSTRUCTIONS](#) PDF

## Departments/Agencies

## Online Services

## Surveys

## RSS Feeds

## Quick Links

- [Troops to Teachers](#)
- [Michigan Vision 2010](#) PDF
- [Army National Guard](#)
- [Michigan Air National Guard](#)
- [Army National Guard Recruiting](#)
- [Air National Guard Recruiting](#)
- [Michigan Committee Employer Support of Guard and Reserve](#)
- [DMVA Press Releases](#)
- [Contracting Information](#)
- [Application for Veterans Home Membership](#)
- [Application for DJHV](#) PDF
- [Application for GRHV](#) PDF



- [2006 Michigan Homestead Property Tax Credit Claim for Veterans and Blind People MI-1040CR-2 FORM](#) [PDF](#)
- [Michigan Veterans Benefits & Services, Federal, State, and Local Programs](#) [PDF](#)
- [Veterans Laws](#) [PDF](#)
- [Employment Opportunities](#)
- [Automobile License Plates](#)

**Application for Veterans Home Membership**

- [Application for DJHV](#) [PDF](#)
- [Application for GRHV](#) [PDF](#)

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[www.michigan.gov](http://www.michigan.gov)  
(To Print: use your browser's print function)  
**Contact:** [paocmn@michigan.gov](mailto:paocmn@michigan.gov)

Release Date: January 14, 2002  
Last Update: November 30, 2004

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## Michigan Veterans Trust Board

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### About the Michigan Veterans Trust

Created by Public Act 9 of the First Extra Session of 1946 and established in the State of Michigan Constitution of 1963, Article IX, Section 38-39 the trustees administer a discretionary fund which may provide temporary financial assistance to veterans for emergency purposes. The program, through county committees, dispenses grants to veterans and their families to relieve temporary, emergent financial crisis or hardship. The trustees represent the interests of the veterans community in both an advisory and advocacy role. The members of the board are appointed by the governor to serve 3 year terms.

### Trustees of the Michigan Veterans Trust

- Arnold W. Zeile, The American Legion
- Edward J. Florence Jr., AMVETS
- Sandra Wilson, Vietnam Veterans of America
- James L. Lane, The American Legion
- James R. Pintar, Veterans of Foreign Wars
- Thomas L. Tomlinson, Disabled American Veterans
- Ronald L. Amend, Veterans of Foreign Wars

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Release Date: March 01, 2006  
Last Update: September 07, 2006

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**State Service Officers**

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Organization Name & Mailing Address	Director's Name & Contact Information
<b>The American Legion</b> 477 Michigan Avenue, Room 1210 Detroit, MI 48226	John Nelson 313/964-6640 <a href="mailto:john.nelson@vba.va.gov">john.nelson@vba.va.gov</a>
<b>AMVETS</b> 477 Michigan Avenue, Room 1227 Detroit, MI 48226	Darrell Kozma 313/964-6920
<b>Catholic War Veterans</b> 477 Michigan Avenue, Room 1225 Detroit, MI 48226	Leondas Galinskas 313/471-3896
<b>Disabled American Veterans</b> 477 Michigan Avenue, Room 1200 Detroit, MI 48226	David Van Hill 313/964-6595 <a href="mailto:david.vanhill@vba.va.gov">david.vanhill@vba.va.gov</a>
<b>Jewish War Veteran</b> 477 Michigan Avenue, Room 1225 Detroit, MI 48226	Jack Weiss 313/471-3897
<b>Marine Corps League</b> 477 Michigan Avenue, Room 1232 Detroit, MI 48226	James Tuohy 313/964-6830 <a href="mailto:james.tuohy@vba.va.gov">james.tuohy@vba.va.gov</a>
<b>Paralyzed Veterans of America</b> 477 Michigan Avenue, Room 1233 Detroit, MI 48226	Charles Henning 313/471-3996 <a href="mailto:charlesh@pva.org">charlesh@pva.org</a>
<b>Polish Legion of American Veterans</b> 8256 E. Twelve Mile Road Warren, MI 48903	Joe Liwak 586/574-0570 <a href="mailto:plavdeptmi@juno.com">plavdeptmi@juno.com</a>
<b>Military Order of the Purple Heart</b> 477 Michigan Avenue, Room 1226 Detroit, MI 48226	Cynthia Cranford 313/964-6888 <a href="mailto:cynthia.cranford@vba.va.gov">cynthia.cranford@vba.va.gov</a>

<b>Veterans of Foreign Wars</b> 477 Michigan Avenue, Room 1215 Detroit, MI 48226	Dan Crocker 313/964-6510 <a href="mailto:daniel.crocker@vba.va.gov">daniel.crocker@vba.va.gov</a>
<b>Vietnam Veterans of America</b> 477 Michigan Avenue, Room 1231 Detroit, MI 48226	Phil Smith 313/961-9568 <a href="mailto:phil.smith@vba.va.gov">phil.smith@vba.va.gov</a>

Department of Military and Veterans Affairs  
3423 N. Martin Luther King Jr. Blvd  
Lansing, MI 48906  
Voice 517/335-6523 Fax 517/241-0674

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Release Date: January 18, 2004  
Last Update: November 15, 2005

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## Emergency Grants

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Temporary assistance granted by the Michigan Veterans Trust Fund (MVTF) for emergencies or hardships is available to eligible wartime veterans, and their families, residing in the state. Under the authority of Public Act 9 of 1946 (as amended), the MVTF cannot provide assistance for long-term problems or chronic financial difficulties. Those eligible for the MVTF temporary grant program must apply through the MVTF county committee serving their county of residence. All applications are investigated, deliberated, and decided in confidence. Any applicant may request a personal hearing before the county committee at the meeting when his/her application is considered. If the county committee denies an application every applicant has the right to appeal that decision to the MVTF Board of Trustees (with the opportunity to appear before the board to present information and answer questions.) The MVTF does not provide loans under the temporary assistance program.

### General Definition of Need

When an eligible applicant is unable to temporarily provide the basic necessities of life in our society without causing a hardship, a situation for a possible MVTF grant exists. The assistance must be essential and not for the relief of an inconvenience, or the purchase of a want/desire. The key factor in determining whether or not a grant is justified is the ability of the applicant to manage the obligation for which aid is requested after a grant is made. If there is no reasonable expectation that the MVTF grant would enable the applicant to resume his/her responsibility, then aid is not appropriate or wise. Since the MVTF only has the yearly earnings of the trust to provide grants and administer its operations, care must be taken to insure that the resources are expended wisely and where they will help the most. If, by experience with the MVTF or through other means, an applicant's financial situation creates repetitive "emergencies" or appears chronic in nature, the county committee and/or the board must refer that person to other resources designed to address those lingering needs. In addition, the applicant should have attempted to resolve the emergency or hardship through every reasonable means available prior to asking the MVTF for assistance. (Often the willingness to take responsibility for one's difficulties is demonstrated by the ability to pay a portion of the debt). In other words, the applicant should have tried to resolve the problem, but is apparently unable to do so without MVTF aid.

### Basic Eligibility

To be eligible for a grant from the MVTF, a veteran or dependent must be a legal resident of the State of Michigan at the time of the application. The veteran must have been discharged under honorable conditions, with at least 180 days of active wartime service (90 days for WWI veteran), or have been separated as the result of a physical or mental disability incurred in the line of duty (or aggravated by active duty). Service during the following periods (or an Armed Forces Expeditionary Medal, **plus 180 days of honorable active duty**, for service between periods in places such as Grenada, Lebanon, Berlin, Persian Gulf, Mayaguez Operation, or Desert Storm) is required:

- WW I - April 6, 1917, to November 11, 1918  
(If service in Russia, then to April 1, 1920)
- WW II - December 7, 1941, to December 31, 1946
- Korea - June 27, 1950, to January 31, 1955
- Vietnam - February 28, 1961, to May 7, 1975
- Persian Gulf - August 2, 1990, to present

If a veteran has less than 180 days of active duty during these eras, duty in more than one period may be combined. Evidence of separation or discharge with less than 180 days of wartime service due to a physical or mental disability is required to determine eligibility.

### Documentation

23

The following items are required when filing an application for trust fund assistance:

- Discharge papers, separation report, or DD-214 (showing the dates of active duty and the character of the release)
- Proof of residence (driver's license, voter registration, state I. D.)
- Bills or account statements regarding the items for which you are seeking a MVTF grant

One or more of the following items may be required when filing an application for trust fund assistance:

- Marriage certificate; birth certificates for minor children
- Death certificate of a deceased spouse or parent
- Documentation of any disability rating
- Proof of employment or other income
- Evidence of efforts at other appropriate agencies

Applications for assistance are submitted in the veteran's county of residence. Points of contact for each of the county committees can be found in the following document:  
[County committees](#)

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### Finding A Job

#### > Veterans

[Find a Veterans Employment Specialist](#)  
[Employer Information](#)  
[Veterans Information](#)  
[School Information](#)  
[The Credentialing Process](#)  
[Education & Training](#)  
[Project MOVE](#)  
[Veteran Benefits](#)

#### > Specialized Job Placement Programs

> [Transitioning from Welfare to Work](#)

> [Dislocated/Laid off Worker Assistance](#)

### Workforce Programs

### Research & Reports

### Partner Education

### Rehabilitation (MRS)


[Rehabilitation](#)

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## Veterans Employment Services

### Welcome, Veterans!

Thank you for your service! Whether your decision is to build on your past military experience and training or pursue a completely new career opportunity, we can help you with:

- [Veteran Job Fairs & Event Calendar](#)
- [Veterans' Employment Web Site Index Quick Reference Page](#)
- [Military Transcripts via the ACEnet Military Programs](#)
- [Search for Jobs using your Military Occupational Code](#)
- [Subscribe to Veteran Employment & Training News](#)
- [Federal Benefits for Veterans and Dependents 2006](#)
- [State of Michigan Benefits for Veterans and Dependents](#)
- [Michigan's Career Portal Veteran Employment Opportunities](#)

### Welcome, Businesses & Schools!

Thank you for supporting veterans! All Americans owe a debt of gratitude to the men and women who have served in the Armed Forces of the United States. We can help you with:

- [Subscribe to Veteran Employment & Business News](#)
- [Hire A Vet, Information for Businesses](#)
- [Subscribe to Veteran Education & Training News](#)
- [Train A Vet, Information for Schools](#)
- [Register for Upcoming Veteran Job Fairs](#)

## Featured Resources

- [In Service & Support of Veterans...](#)
- [VA Benefits and Services](#)
- [Veteran Job Fairs & Event Calendar](#)
- [Start Your Own Business](#)
- [Apprenticeship Training for Veterans](#)
- [Career Opportunities](#)
- [Train a Vet, Information for Schools](#)
- [Hire a Vet, Information for Business](#)
- [Veterans' Information](#)
- [Veterans' Research Page](#)
- [Transition Assistance](#)
- [Service Connected Medical Conditions](#)

### Downloads

### Employment Rights

[Search](#)

[Departments/Agencies](#)
[Online Services](#)
[Surveys](#)
[RSS Feeds](#)

#### Quick Links

- [Find a Job](#)
- [Find Workers](#)
- [Explore Careers](#)
- [Veterans Benefits](#)
- [Migrant & Seasonal Farm Worker Program](#)
- [Labor Market Information](#)

- [Veteran Benefits & Services in MI - Booklet](#)
- [Veterans Benefits & Services in MI - Webcast of Program held on November 1 & 2, 2005](#)
- [NASWA 2004 Annual Conference, slide show](#)

**Images**

- [Maps of Michigan and selected Michigan cities \(MDOT\)](#)
- [VA pays for licensing & certification testing \(brochure\)](#)

**PDFs**

- [Download Microsoft Viewers & Converters](#)

**Michigan's commitment to veterans is:**

1. To provide information and effective referral assistance to veterans regarding benefits and services that may be obtained through state and federally funded agencies.
2. To ensure that veterans are treated with courtesy and respect by all employment and training providers throughout Michigan.
3. To ensure effective and equitable services to all veterans in all state and federally funded employment services and job training programs, including those that provide:
  - Job Referral and job development
  - Occupational and vocational services
  - Employment and training opportunities

**If you have any questions, call us at: 1-800-455-5228 or e-mail us at:**  
[projectmove@michigan.gov](mailto:projectmove@michigan.gov).

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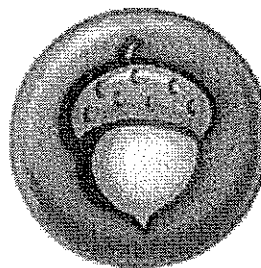
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[About Us](#)
[click for resources](#)
**Aging Well.  
Living Well.**
**EATING  
WELL**
[click for resources!](#)

## OSA OFFICE OF SERVICES TO THE AGING

*To know how to grow old is the masterwork of wisdom, and one of the most difficult chapters in the great art of living.--Henri Frederic Amiel*

Welcome to the Michigan Office of Services to the Aging, your state resource for information on aging in Michigan! If you're an older adult, family member, or caregiver, here you can easily find and be referred to community programs available in your local area. Information to help people age successfully is also at your finger tips. If you work with or for older adults, you will find up-to-date information to help keep you professionally informed.



**Michigan Office of Services to the Aging**  
P.O. Box 30676  
Lansing, MI 48909-8176  
517-373-8230

### Spotlight

- [New findings from the Women's Health Initiative about risks and benefits of long-term menopausal hormone therapy.](#)
- [Michigan Office of Services to the Aging Receives Disease Prevention Grant](#)
- [The Kinship Care Research Center Assistance Program; Deadline Sept. 30th](#)
- [Two Received Senior Citizen of the Year Award 2007](#)
- [DVD on What is Medicaid!](#)
- [New Study Released, "Growing Older In America: The Health and Retirement Study"](#)
- [FY 2008-2010 Draft State Plan on Aging](#)
- [Resources for Aging E-Newsletter, August 1, 2007](#)

### Let's Celebrate!

- [Hispanic Heritage Month](#)
- [September is National Preparedness Month!](#)

### Notable Seniors

- [Vibrant 97-Year-Old Actress!](#)
- [Poet Laureat Charles Simic](#)

[Departments/Agencies](#)
[Online Services](#)
[Surveys](#)
[RSS Feeds](#)

### Quick Links

- [Quotables!](#)
- [Staff Directory](#)
- [Office Brochure](#)
- [Ombudsman](#)

### Current Weather

Wednesday, September 12, 2007

Weather for: **Lansing, MI**



Mostly Cloudy  
54 F (12 C)

[7 day forecast](#)

Your ZIP code:

Last Updated on Sep 12, 9:53 am EDT

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## **FEDERAL SERVICES TO VETERANS**



## VETERANS BENEFITS ADMINISTRATION (VBA)

VBA provides financial and other forms of assistance in the following categories.

### ✦ **Education — (En Español)**

- ✦ [Montgomery GI Bill](#)
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# **MICHIGAN LAWS - VETERANS**



**VETERANS' TRUST FUND**  
**Act 9 of 1946 (1st Ex. Sess.)**

AN ACT to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—Am. 1949, Act 306, Eff. Sept. 23, 1949;—Am. 1958, Act 139, Imd. Eff. Apr. 18, 1958.

**Popular name:** Veterans' Trust Fund Act

*The People of the State of Michigan enact:*

**35.601 Repealed. 1995, Act 27, Eff. Dec. 21, 1997.**

**Compiler's note:** The repealed section pertained to creation and administration of Michigan veterans' trust fund.

**Popular name:** Veterans' Trust Fund Act

**35.601a-35.601c Repealed. 2005, Act 250, Imd. Eff. Dec. 1, 2005.**

**Compiler's note:** The repealed sections pertained to transfer of assets from veterans' trust fund for nursing facilities and college tuition grants.

**Popular name:** Veterans' Trust Fund Act

**35.601d Repealed. 1980, Act 403, Imd. Eff. Jan. 8, 1981.**

**Compiler's note:** The repealed section pertained to transfer of funds to special assessment revolving fund.

**Popular name:** Veterans' Trust Fund Act

**35.601e, 35.601f Repealed. 2005, Act 250, Imd. Eff. Dec. 1, 2005.**

**Compiler's note:** The repealed sections pertained to transfer of appropriations to the general fund for veterans' facilities and appropriation for construction of Grand Rapids veterans' facility outpatient center.

**Popular name:** Veterans' Trust Fund Act

**35.602 "Michigan veteran" defined; eligibility for benefits; period constituting World War II; validation of prior grants.**

Sec. 2. For the purposes of the administration of this act, a Michigan veteran as defined by Act No. 190 of the Public Acts of 1965, as amended, shall be deemed to be a person, male or female, whose legal residence immediately prior to entering the service was in Michigan, who entered upon or was in active service in the armed forces of the United States, at any time for at least 180 days from and after the date as defined by Act No. 190 of the Public Acts of 1965, as amended, being sections 35.61 and 35.62 of the Michigan Compiled Laws or Vietnam era, as determined for the purposes of administration of this act, whether by induction, enlistment, commission, warrant, or otherwise, and who has been honorably discharged, retired, or separated therefrom, or who has reverted to an inactive status therefrom under honorable conditions. However, former members of the women's auxiliary army corps who refused to accept transfer to or induction into the women's army corps shall not be deemed to be veterans within the meaning of this definition. A veteran who did not have legal residence in Michigan immediately prior to entering the military service may become eligible to benefits administered under this act after having established a legal residence in Michigan. A veteran whose legal residence was in Michigan prior to entering military service will lose his rights under this act by leaving this state for a period of time exceeding 2 years. A person who shall have been separated for reason of physical or mental disability incurred in the line of duty prior to the completion of 180 days' service shall be considered a veteran for the purpose of the administration of this act. World War II shall be deemed to be that period from and after August 27, 1940, to the inclusive date of June 30, 1946. Grants made to eligible Michigan veterans between June 30, 1946, and the effective date of this act are declared valid. A person otherwise qualified with at least 90 days of service during World War I, Spanish American War or Mexican Wars, as defined in Act No. 190 of the Public Acts of 1965, as amended, shall be deemed a veteran for the purposes of this act.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.602;—Am. 1949, Act 306, Eff. Sept. 23, 1949;—Am. 1951, Act 123, Imd. Eff. June 1, 1951;—Am. 1960, Act 102, Eff. Aug. 17, 1960;—Am. 1968, Act 349, Imd. Eff. July 30, 1968;—Am. 1969, Act 51, Imd. Eff. July 21, 1969;—Am. 1975, Act 226, Imd. Eff. Aug. 27, 1975.

**Popular name:** Veterans' Trust Fund Act

### **35.602a Korean national emergency period; validation of grants.**

Sec. 2a. The period of the state of national emergency beginning June 27, 1950, as proclaimed by the president of the United States December 16, 1950, shall be that period from and after June 27, 1950, to the inclusive date of December 31, 1953. All grants made between December 31, 1953 and the effective date of this act are declared valid.

**History:** Add. 1955, Act 95, Eff. Oct. 14, 1955.

**Popular name:** Veterans' Trust Fund Act

### **35.603 Michigan veterans' trust fund board of trustees; creation; appointment, qualifications, and terms of members; compensation and expenses; organizations eligible for representation on board; oath; removal of member; offices; assistants.**

Sec. 3. There is created a Michigan veterans' trust fund board of trustees to consist of 2 representatives of the American Legion, 2 representatives of the Veterans of Foreign Wars of the United States, 1 representative of the Disabled American Veterans, and 1 representative of the American Veterans of World War II-Korean-Vietnam, to be appointed by the governor upon recommendation of the organizations named, for terms of 3 years each. Each member of the board shall be an honorably separated veteran as defined by Act No. 190 of the Public Acts of 1965, as amended. Members of the board shall serve without compensation, but shall be entitled to actual and necessary expenses incurred in carrying out their duties. An organization composed exclusively of honorably discharged veterans as defined by Act No. 190 of the Public Acts of 1965, as amended, which has attained a bona fide membership of not less than 7,500, and which has established not less than 40 posts in not less than 25 counties of the state, shall be eligible for representation on the board of trustees, under the same provisions as other representation on the board of trustees is attained. Each member of the board shall qualify by taking and filing the constitutional oath of office, and shall serve until the appointment and qualification of his successor. The governor may remove any member of the board for misfeasance, malfeasance, or nonfeasance in office, after hearing. The department of management and budget shall furnish suitable offices for use of the board. The board may employ assistants and incur expense necessary in carrying out this act.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.603;—Am. 1954, Act 117, Eff. Aug. 13, 1954;—Am. 1975, Act 226, Imd. Eff. Aug. 27, 1975.

**Transfer of powers:** See MCL 16.206.

**Popular name:** Veterans' Trust Fund Act

### **35.603a Conducting business at public meeting; exception; notice; availability of writings to public; "emergent need" defined.**

Sec. 3a. (1) Except as provided in this section, the business which the Michigan veterans' trust fund board of trustees or a county or district committee may perform shall be conducted at a public meeting of the board or committee held in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.

(2) A writing prepared, owned, used, in the possession of, or retained by the Michigan veterans' trust fund board of trustees or a county or district committee in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(3) Act No. 267 of the Public Acts of 1976, as amended, shall not apply to the Michigan veterans' trust fund board of trustees or a county or district committee when the board of trustees or county or district committee is deliberating the merits of an emergent need. "Emergent need" means a situation which the board of trustees, by rules promulgated pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws, determines requires immediate action.

**History:** Add. 1978, Act 158, Imd. Eff. May 22, 1978;—Am. 1981, Act 160, Imd. Eff. Nov. 30, 1981.

**Popular name:** Veterans' Trust Fund Act

**Administrative rules:** R 35.621 et seq. of the Michigan Administrative Code.

### **35.604 Board of trustees; powers and duties.**

Sec. 4. The board of trustees shall be a policy-making body, on the state level, and shall have the following powers and duties:

(a) To determine the purposes for which available moneys in the trust fund in excess of \$50,000,000 are to be allocated to the several veterans' county and district committees;

(b) To allocate part or all of available moneys in the trust fund in excess of \$50,000,000 to the several veterans' county and district committees, and to disburse said allocations from time to time on the basis of need;

(c) To prescribe rules governing the granting of assistance to Michigan veterans, their unremarried widows and dependents on the basis of need, including the prescribing of the necessary forms and the making of necessary reports and accounting; for the purposes of the administration of this act dependents shall be considered to be any persons legally entitled to look to the veteran for his or her support;

(d) To collect data and information as to the facilities and services available to Michigan veterans and disseminate the same to veterans' organizations and individual veterans: Provided, however, That in no event shall more than \$5,000.00 be expended for this purpose in any 1 year;

(e) To do all acts necessary in carrying out the provisions of this act;

(f) To receive and accept gifts and donations of property, real or personal, and shall hold, use and apply the property so received for purposes set forth in the instrument of gift and in accordance with the provisions of such instrument and subject to the conditions and limitations, if any, therein expressed, if the purposes limited by such gifts are within the purposes of this act;

(g) To submit to the governor a quarterly fiscal report and an annual report of operations and such other reports as may be requested by the governor covering the activities of the board;

(h) The Michigan veterans' trust fund board of trustees shall not be empowered to file application for or to prosecute the claim of any individual for any benefit accruing to such individual under the laws administered by the United States veterans' administration.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.604;—Am. 1949, Act 306, Eff. Sept. 23, 1949.

**Popular name:** Veterans' Trust Fund Act

**Administrative rules:** R 35.1 et seq.; R 35.621 et seq.; R 35.631 et seq.; and R 35.651 et seq. of the Michigan Administrative Code.

#### **35.604a Graves registration list.**

Sec. 4a. The board of trustees shall compile and maintain a graves registration list of all burials of veterans in this state.

**History:** Add. 1974, Act 134, Imd. Eff. June 5, 1974.

**Popular name:** Veterans' Trust Fund Act

#### **35.604b Administration of trust fund by board of trustees.**

Sec. 4b. The board of trustees shall administer the Michigan veterans' trust fund established under section 37 of article IX of the state constitution of 1963.

**History:** Add. 1995, Act 27, Eff. Dec. 21, 1996.

**Popular name:** Veterans' Trust Fund Act

#### **35.605 Earnings of Michigan veterans' trust fund; allocation; investment; accounting.**

Sec. 5. (1) The earnings of the Michigan veterans' trust fund shall be allocated from time to time by the board of trustees as follows:

(a) The operating expenses of the fund shall be approved annually and funded from the surplus earnings.

(b) Fifty percent of the remaining surplus in and the earnings of the fund shall be allocated for distribution to county and district committees on the basis of need as determined by the board.

(c) The balance of the surplus in and earnings of the trust fund after allocations under subdivisions (a) and (b) shall be allocated in part or in whole to the several county and district committees on the basis of veteran population. The funds made available to the board of trustees for distribution to county and district committees on the basis of need as determined by the board of trustees shall be disbursed only for the same purposes of providing for needs of Michigan veterans as defined by 1965 PA 190, MCL 35.61 to 35.62, or their dependents as are the funds allocated to county and district committees on the basis of veteran population.

(2) The state treasurer shall direct the investment of the Michigan veterans' trust fund. The state treasurer shall have the same authority to invest the assets of the trust fund as is granted to an investment fiduciary under the public employee retirement system investment act, 1965 PA 314, MCL 38.1132 to 38.1140I. The trust fund shall be considered state funds and shall be protected by the official bond of the state treasurer.

(3) The state treasurer shall annually prepare an accounting of revenues and expenditures from the trust fund. This accounting shall specifically identify the interest and earnings of the trust fund, shall describe how the amount of interest and earnings has been affected by the expanded investment options provided for in

subsection (2), and shall identify how the increased interest and earnings, if any, have been expended. This accounting shall be provided to the senate and house of representatives appropriations committees.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.605;—Am. 1949, Act 197, Imd. Eff. May 27, 1949;—Am. 1949, Act 306, Eff. Sept. 23, 1949;—Am. 1954, Act 117, Eff. Aug. 13, 1954;—Am. 1968, Act 349, Imd. Eff. July 30, 1968;—Am. 1975, Act 226, Imd. Eff. Aug. 27, 1975;—Am. 2002, Act 53, Eff. Sept. 21, 2002.

**Popular name:** Veterans' Trust Fund Act

### **35.606 Veteran county and district committees; establishment; purpose; appointment and qualifications of members; removal of member; compensation and expenses; office space; appeal.**

Sec. 6. The board of trustees shall establish in the several counties of the state representative veteran county committees for the administration of the allocated moneys on the local level, and may combine 2 or more counties into a district when, in the opinion of the board of trustees, a more efficient local administration may result therefrom. Each veteran county or district committee shall consist of 1 representative of the American Legion, 1 representative of the Veterans of Foreign Wars of the United States, 1 representative of the Disabled American Veterans, 1 representative of the American Veterans of World War II-Korean-Vietnam, to be appointed by the board of trustees upon recommendation of the organizations named. When in a county or district not more than 2 of the above named 4 organizations have organized and functioning local units, the 2 organizations existing in that county or district are empowered to jointly recommend the appointment of a third honorably discharged veteran as defined by Act No. 190 of the Public Acts of 1965, as amended, to serve on the county or district committee. The board of trustees may also appoint on a county or district committee a representative of a local veterans' organization now in existence or which may be hereafter organized, which has in its membership not less than 3% of all veterans originally entering the service from the territory covered by the county or district committee. Each member of a county or district committee shall be an honorably separated veteran as defined by Act No. 190 of the Public Acts of 1965, as amended. The board of trustees may remove a member of a county or district committee for misfeasance, malfeasance, or nonfeasance in office, after hearing. Members of county and district committees shall serve without compensation, but shall be entitled to actual and necessary expenses incurred in carrying out their duties, such expenses together with administration expenses to be paid from moneys allocated to county and district committees as provided in this act. The county boards of commissioners, or board of county auditors in counties having boards of county auditors, shall provide suitable office space for veteran county and district committees. A veteran who considers himself aggrieved at a decision rendered by a county or district committee in connection with a request for assistance may appeal to the board of trustees, and the decision of the board of trustees on an appeal referred to it shall be final and binding on the veteran and the county or district committee.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.606;—Am. 1949, Act 306, Eff. Sept. 23, 1949;—Am. 1954, Act 117, Eff. Aug. 13, 1954;—Am. 1975, Act 226, Imd. Eff. Aug. 27, 1975.

**Popular name:** Veterans' Trust Fund Act

### **35.607 Funds; distribution by state treasurer.**

Sec. 7. Funds shall be distributed to the several county treasurers by the state treasurer at the direction of the board of trustees. The funds distributed shall be credited by the county treasurer to a county veterans' trust fund and shall be disbursed by the county treasurer on vouchers drawn by the county clerk based on orders filed by the county or district committee. Allocations to district committees shall be distributed to the several county treasurers of the counties composing the district. The veterans' trust fund shall be covered by the official bond of the county treasurer.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.607;—Am. 2002, Act 153, Imd. Eff. Apr. 8, 2002.

**Popular name:** Veterans' Trust Fund Act

### **35.608 Veterans' committees; regulation by state board of trustees; audit.**

Sec. 8. The county and district committees shall be governed by the rules and regulations of the state board of trustees. The board of trustees, the veteran county or district committees, and the county treasurers shall be subject to audit in the same manner as provided under the accounting laws of this state for state departments and counties.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.608;—Am. 2002, Act 153, Imd. Eff. Apr. 8, 2002.

**Popular name:** Veterans' Trust Fund Act

Administrative rules: R 35.1 et seq.; R 35.621 et seq.; R 35.631 et seq.; and R 35.651 et seq. of the Michigan Administrative Code.

**35.609 Obtaining or giving grant by fraud; penalty.**

Sec. 9. Any person who shall knowingly, by fraudulent representations, obtain or allow to be obtained any payment or aid herein provided for shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not to exceed \$500.00 or imprisonment in the county jail not to exceed 6 months, or both such fine and imprisonment in the discretion of the court.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.609.

**Popular name:** Veterans' Trust Fund Act

**35.610 Appropriation.**

Sec. 10. There is hereby appropriated from the general fund of the state the sum of \$50,000.00 to the board of trustees to defray expenses in carrying out the provisions of this act, to be disbursed in accordance with the accounting laws of the state.

**History:** 1946, 1st Ex. Sess., Act 9, Imd. Eff. Feb. 25, 1946;—CL 1948, 35.610.

**Popular name:** Veterans' Trust Fund Act

**VETERANS' RELIEF FUND**  
**Act 214 of 1899**

AN ACT to provide relief outside of the soldiers' home for honorably discharged indigent soldiers, sailors, marines, nurses and members of women's auxiliaries and the indigent wives, widows and minor children of such indigent or deceased soldiers, sailors, marines, nurses and members of women's auxiliaries, and to repeal certain acts and parts of acts.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—Am. 1944, 1st Ex. Sess., Act 23, Imd. Eff. Feb. 29, 1944.

*The People of the State of Michigan enact:*

**35.21 Veterans' relief fund; levy and collection of annual tax; emergency appropriation; disposition.**

Sec. 1. The county board of commissioners of each county shall annually levy, a tax not exceeding 1/10 of a mill on each dollar, to be levied and collected as provided by law, upon the taxable property of each township and city, for their respective counties, for the purpose of creating a fund for the relief of honorably discharged indigent members of the army, navy, air force, marine corps, coast guard, and women's auxiliaries of all wars or military expeditions in which the United States of America has been, is, or may hereafter be, a participant as prescribed in section 1 of Act No. 190 of the Public Acts of 1965, being section 35.61 of the Michigan Compiled Laws, and the indigent spouses, minor children, and parents of each such indigent or deceased member. Funds raised in accordance with the provisions of this section may be expended for the relief of indigent wives and children of active duty soldiers, sailors, marines, airmen, coast guardsmen, nurses, and members of the women's auxiliaries during the continuance of present hostilities and prior to their discharge. However, in any year which, in the opinion of the board, an emergency justifying the same exists, the board may appropriate a sum not to exceed 2/10 of a mill on each dollar for said purpose. The sums, when collected, shall be paid to the county treasurer of the county where such tax is levied in each of the counties in this state, to be paid out by the treasurer upon the order of the soldiers' relief commission duly signed by the chairperson and secretary of the commission. If any money in the fund is not necessary for the purpose for which it was raised, the money shall remain in the treasury of the county as a soldiers' relief fund, and shall be considered in raising future sums therefor.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—CL 1915, 1692;—Am. 1919, Act 370, Eff. Aug. 14, 1919;—CL 1929, 854;—Am. 1931, Act 257, Eff. Sept. 18, 1931;—Am. 1943, Act 114, Eff. July 30, 1943;—Am. 1944, 1st Ex. Sess., Act 23, Imd. Eff. Feb. 29, 1944;—CL 1948, 35.21;—Am. 1984, Act 168, Imd. Eff. June 29, 1984.

**Former law:** See Act 193 of 1889, being CL 1897, §§ 2074 to 2079.

**35.22 Soldiers' relief commission; membership, appointment, terms, officers, vacancies, oaths of office, compensation, powers and duties, removal.**

Sec. 2. (1) The judge of probate in each county shall appoint 3 persons, residents of such county, who shall be honorably discharged soldiers, sailors, marines, nurses or members of the women's auxiliaries, of the United States army and navy, volunteers or regulars, who served in a war in which the United States has been, is or may hereafter be, a participant, at least 1 of whom shall have served in World War I, to be known as the "soldiers' relief commission" of the county, with the powers and duties in this act provided. If there is no World War I veteran who is willing to serve, a veteran of a war as defined in Act No. 190 of the Public Acts of 1965, as amended, being sections 35.61 and 35.62 of the Compiled Laws of 1948, may be appointed to serve on the soldiers' relief commission.

(2) One of such persons shall be appointed for a term of 1 year; 1 for a term of 2 years; and 1 for a term of 3 years, and at the expiration of the term for which each of such persons was appointed, his successor shall be appointed for a term of 3 years thereafter. The persons so appointed shall organize by the selection of 1 of their number as chairman, and 1 as secretary, and in the event of the death, resignation, change of residence or other disability of any member of the commission, creating a vacancy, the judge of probate shall fill such vacancy by an appointment for the unexpired term. The members shall each file the constitutional oath of office with the probate court, and receive the proper certificate of their appointment. They shall be entitled to reasonable compensation for their services, to be fixed and paid by the board of supervisors of their respective counties. The judge of probate shall have authority to remove any member of such commission for cause.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—CL 1915, 1693;—CL 1929, 855;—Am. 1931, Act 257, Eff. Sept. 18, 1931;—Am. 1943, Act 114, Eff. July 30, 1943;—Am. 1944, 1st Ex. Sess., Act 23, Imd. Eff. Feb. 29, 1944;—CL 1948, 35.22;—Am. 1955, Act 225, Eff. Oct. 14, 1955;—Am. 1969, Act 53, Imd. Eff. July 21, 1969.

### **35.23 Soldiers' relief commission; determination of amounts to be granted and manner of payment; judicial review.**

Sec. 3. The supervisor of each township and ward in each of the counties of this state, and where there is no ward supervisor the aldermen of the several wards of every incorporated city in this state, shall, on or before the last Monday in September in each year, make and place in the hands of the soldiers' relief commission of the county, a list of all the persons entitled to relief under the provisions of this act, and the soldiers' relief commission, on the first Monday in October in each year, shall proceed to determine the amount necessary for aid and relief to be granted such persons under this act, which shall be then and there recorded in the books to be kept by the secretary of said soldiers' relief commission. The commission may determine not only the sum to be paid, but the manner of paying the same, and may discontinue the payment of such relief in their discretion. Appeal may be taken therefrom to the circuit court of such county, by certiorari by filing application therefor with the clerk within 15 days following the making of such decision. The court shall hear the case de novo and its decision shall be final.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—CL 1915, 1694;—CL 1929, 856;—Am. 1931, Act 257, Eff. Sept. 18, 1931;—CL 1948, 35.23.

### **35.24 Emergency relief provision; limitations.**

Sec. 4. Whenever any emergency shall arise in case of sickness, accident or death, which, in the opinion of any supervisor or alderman, needs relief, such supervisor or alderman, when inconvenient to consult any of the members of said commission, shall have the power to draw an order on the county treasurer for a sum not to exceed 10 dollars, and shall certify his action and the circumstances of the case to such soldiers' relief commission, which shall ratify the same, and such commission may grant such further relief at any time as it may deem necessary: Provided, however, That no claim for relief shall be allowed and paid which shall create a deficiency in the fund.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—CL 1915, 1695;—CL 1929, 857;—CL 1948, 35.24.

### **35.25 Soldiers' relief commission; annual report, contents.**

Sec. 5. Said soldiers' relief commission shall make to the board of supervisors, at its October session in each year, a full report of its doings and the amount of relief money on hand, the amount expended during the year preceding, and the amount estimated for the year ensuing, and such further information and suggestions as they may consider necessary to the discharge of their duties under this act.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—CL 1915, 1696;—CL 1929, 858;—CL 1948, 35.25.

### **35.26 Unexpended funds; transfer to general fund.**

Sec. 6. In cases where moneys have heretofore been raised by any city or township under the provisions of the acts hereinafter repealed, the balance of such moneys unexpended on the first day of April, 1900, may, by vote of the common council or township board, be transmitted to, and made a part of the general fund of such city or township, as the case may be.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—CL 1915, 1697;—CL 1929, 859;—CL 1948, 35.26.

### **35.27 Soldiers' relief commission; administration of oaths.**

Sec. 7. The several commissioners appointed under this act shall have power to administer oaths in the execution of the duties of their offices.

**History:** 1899, Act 214, Eff. Sept. 23, 1899;—CL 1915, 1698;—CL 1929, 860;—CL 1948, 35.27.

**FUNERAL EXPENSES OF VETERANS**  
**Act 235 of 1911**

AN ACT to provide for the payment and reimbursement by counties, in certain cases upon application therefor, of expenses incurred in the burial of the bodies of honorably discharged members of the armed forces of the United States, or their spouses, and to repeal certain acts or parts of acts.

**History:** 1911, Act 235, Eff. Aug. 1, 1911;—Am. 1944, 1st Ex. Sess., Act 24, Imd. Eff. Feb. 29, 1944;—Am. 1974, Act 99, Imd. Eff. May 14, 1974.

*The People of the State of Michigan enact:*

**35.801 Veterans' burial expenses; payment by county; application; definitions.**

Sec. 1. (1) Except as otherwise provided under subsection (2), if an honorably discharged member of the armed forces of the United States who served for a period of not less than 90 days of active service, or who is discharged under honorable conditions after serving less than 90 days of active service because of a service-connected disability, during a period of time in which the United States was at war or during the Vietnam conflict, or the spouse or surviving spouse of a member of the armed forces of the United States, dies possessed of an estate, both real and personal, not exceeding the sum of \$25,000.00, over and above all encumbrances and was a resident of the state at the time of death and a resident of the state for a period of 6 months before entering the service or for a period of 3 years immediately before death, the county board of commissioners or the board of county auditors, upon application by the executor or administrator of the estate of the deceased person, or by the person who incurred or advanced expenses in connection with the burial of the honorably discharged member of the armed forces, or the spouse of the honorably discharged member of the armed forces, shall pay to the estate of the deceased person, or to the person who incurred or advanced the burial expense, the sum of \$300.00. If the investigation provided for in section 2 shows that the deceased did not leave a dependent surviving, but did leave an estate sufficient to meet lawful claims, including burial expenses, then the county board of commissioners or the board of county auditors shall not pay the expenses. The application shall be submitted within 2 years after the date of death of the deceased person.

(2) On the effective date of the amendatory act that added this subsection, the estate limit provided for under subsection (1) shall be \$40,000.00. This subsection does not apply to a county if the county board of commissioners passes a resolution by majority vote that exempts the county from the requirements of this subsection.

(3) If a county makes an election under subsection (2), the county shall file a copy of the resolution with the department of management and budget. The department of management and budget shall report not less than annually to the legislature which counties, if any, have made an election under subsection (2).

(4) As used in this act, "service" includes service in the armed forces of the United States in a place of emergency, as described in section 1 of 1965 PA 190, MCL 35.61, when ordered to do so by the government of the United States.

(5) As used in this section:

(a) "Estate" means the ownership of real or personal property at the time of death, the title to which was held either in the sole name of the decedent or by the entirety, tenancy in common, or joint tenancy with the spouse, child, or parent of the decedent, but does not include real property owned by the decedent as the homestead of the decedent.

(b) "Homestead" means a dwelling or a unit in a multiple unit dwelling and includes a mobile home or trailer coach.

**History:** 1911, Act 235, Eff. Aug. 1, 1911;—CL 1915, 1057;—Am. 1919, Act 165, Eff. Aug. 14, 1919;—Am. 1921, Act 125, Eff. Aug. 18, 1921;—CL 1929, 927;—Am. 1943, Act 122, Imd. Eff. Apr. 13, 1943;—Am. 1944, 1st Ex. Sess., Act 24, Imd. Eff. Feb. 29, 1944;—CL 1948, 35.801;—Am. 1952, Act 121, Eff. Sept. 18, 1952;—Am. 1955, Act 94, Eff. Oct. 14, 1955;—Am. 1959, Act 235, Eff. Mar. 19, 1960;—Am. 1968, Act 322, Imd. Eff. July 3, 1968;—Am. 1969, Act 52, Imd. Eff. July 21, 1969;—Am. 1973, Act 158, Eff. Mar. 29, 1974;—Am. 1974, Act 99, Imd. Eff. May 14, 1974;—Am. 1976, Act 186, Imd. Eff. July 8, 1976;—Am. 1978, Act 374, Imd. Eff. July 27, 1978;—Am. 2003, Act 290, Eff. Feb. 7, 2004.

**Former law:** See Act 170 of 1885, being CL 1897, §§ 1693 to 1696, which was repealed by Act 242 of 1899. Act 242 of 1899 was repealed by Act 39 of 1905, which was amended by Act 163 of 1907. Act 252 of 1909 expressly repealed Act 39 of 1905. Act 252 of 1909 was repealed by section 5 of this act.

**35.802 Soldiers' relief commission; investigation of application for reimbursement, compensation.**



Sec. 2. It shall be the duty of the members of the soldiers' relief commission of each county, whenever application is made for reimbursement by the county for such funeral expenses paid or advanced, or incurred for the burial of such deceased person, to make an investigation of such claim and report their action to the clerk of the board of supervisors of the county, or to the clerk of the board of county auditors as the case may be, in all cases setting forth all the facts, together with the name, rank and command to which such soldier, sailor, marine, nurse or member of the women's auxiliary belonged, and in case of such wife or widow, the rank and command to which her husband or deceased husband belonged, the name and service rendered as such army nurse, the date of his or her death, place where buried, and his or her residence and occupation while living. They shall require such person or persons who paid, advanced or incurred such burial expenses for such deceased person to furnish the board of supervisors, or board of county auditors in counties having a board of county auditors, with a sworn itemized statement of the expense incurred in the burial of the deceased person mentioned in the application. The members of the commission, except where they are paid a salary, shall receive from the county the sum of \$2.00 per day for the time actually and necessarily employed by them in the performance of their duties.

**History:** 1911, Act 235, Eff. Aug. 1, 1911;—CL 1915, 1058;—CL 1929, 928;—Am. 1943, Act 122, Imd. Eff. Apr. 13, 1943;—Am. 1944, 1st Ex. Sess., Act 24, Imd. Eff. Feb. 29, 1944;—CL 1948, 35.802.

### **35.803 Duties of county clerk; record of application and reimbursement; headstones.**

Sec. 3. It shall be the duty of the clerk of the board of supervisors or board of county auditors as the case may be upon receiving the report and statement of expenses provided for in the preceding section, to transcribe in a book kept for that purpose all the facts contained in said report respecting such deceased soldier, sailor or marine, or the deceased wife or widow of the same, or such deceased army nurse, and to report such application and statement to the board of supervisors or the board of county auditors, as the case may be, at the next meeting thereof. It shall be the further duty of said clerk upon the death and burial of any such soldier, sailor or marine, and upon request therefor, to make application to the proper authorities under the government of the United States for a suitable headstone as is now or may hereafter be provided by act of congress, and to cause the same to be placed at the head of the grave of such deceased soldier, sailor or marine. And also, to cause a suitable headstone to be placed at the head of the grave of the deceased wife or widow of such soldier, sailor or marine or army nurse if the same shall now or hereafter be provided by act of congress.

**History:** 1911, Act 235, Eff. Aug. 1, 1911;—CL 1915, 1059;—CL 1929, 929;—CL 1948, 35.803.

### **35.804 Veterans' funeral expenses; payment by county.**

Sec. 4. All expenses incurred in such burial as provided in this act, shall be audited and paid by the board of supervisors, or board of county auditors in counties having a board of county auditors, the same as other legal charges against the county.

**History:** 1911, Act 235, Eff. Aug. 1, 1911;—CL 1915, 1060;—CL 1929, 930;—CL 1948, 35.804.

**MARKERS FOR VETERANS' GRAVES**  
**Act 63 of 1915**

AN ACT to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed.

**History:** 1915, Act 63, Imd. Eff. Apr. 20, 1915;—Am. 1979, Act 142, Imd. Eff. Nov. 8, 1979;—Am. 1988, Act 263, Imd. Eff. July 15, 1988.

*The People of the State of Michigan enact:*

**35.831 Flag holders and United States flags for veterans' graves in cemetery belonging to city, village, municipality, or township; petition; expense; purpose.**

Sec. 1. (1) The legislative body of a city, village, municipality, or township in this state, upon the petition of a local, or an affiliate of, a recognized veterans' organization or of 5 eligible voters of the city, village, municipality, or township, shall procure for and furnish to the petitioners, at the expense of the city, village, municipality, or township, a suitable flag holder and United States flag for the grave of each veteran who served in the armed forces of the United States and who is buried within the limits of a public or private cemetery located within the city, village, municipality, or township. The requirement to provide a suitable flag holder and United States flag for private cemeteries does not apply in the current fiscal year where an initial request for a suitable flag holder and United States flag exceeds 50 graves within a particular township, but would apply in the following fiscal year at that township.

(2) A flag holder and United States flag shall be placed on the grave of a veteran for the purpose of marking and designating the grave for memorial purposes.

**History:** 1915, Act 63, Imd. Eff. Apr. 20, 1915;—CL 1915, 1062;—CL 1929, 936;—CL 1948, 35.831;—Am. 1979, Act 142, Imd. Eff. Nov. 8, 1979;—Am. 1988, Act 263, Imd. Eff. July 15, 1988;—Am. 2005, Act 26, Imd. Eff. May 23, 2005;—Am. 2006, Act 627, Imd. Eff. Jan. 3, 2007.

**35.831a Flag holder and United States flag; procurement by county; expense; purpose.**

Sec. 1a. (1) The legislative body of a county in this state, upon petition of a local, or a local affiliate of, a recognized veterans' organization or of 5 eligible voters of the county, may procure for and furnish to the petitioners, at the expense of the county, a suitable flag holder and United States flag for the grave of each veteran who served in the armed forces of the United States and who is buried in any public or private cemetery located within the limits of the county.

(2) A flag holder and United States flag shall be placed on the grave of a veteran for the purpose of marking and designating the grave for memorial purposes.

**History:** Add. 2005, Act 27, Imd. Eff. May 23, 2005;—Am. 2006, Act 627, Imd. Eff. Jan. 3, 2007.

**35.832 Contents of petition.**

Sec. 2. In a petition to the legislative body of a city, village, or township, the petitioners shall set forth the name of the airman, soldier, sailor, and marine whose grave has not been appropriately marked as contemplated in this act, together with the number of the graves at the time of petitioning, and the cemetery where the graves are located.

**History:** 1915, Act 63, Imd. Eff. Apr. 20, 1915;—CL 1915, 1063;—CL 1929, 937;—CL 1948, 35.832;—Am. 1979, Act 142, Imd. Eff. Nov. 8, 1979.

**35.832a United States flags for veterans' graves in privately owned cemetery; request; expense.**

Sec. 2a. (1) A privately owned cemetery, upon the request of a family member of a veteran of the armed forces of the United States who is buried within the cemetery, shall provide a suitable United States flag not larger than 12 inches by 18 inches, at the cemetery's expense, for the grave of the veteran. The cemetery shall be responsible for the cost and maintenance of the United States flag.

(2) A privately owned cemetery shall provide the United States flags required under subsection (1) for placement during Memorial day, the fourth of July, and Veterans day, and may, but shall not be required to, provide the United States flags during any other times of the year.

(3) A request to a privately owned cemetery under this section shall include the location of the grave of the veteran for whom a United States flag is to be provided. The family member who makes the request is

responsible for placing the United States flag on the grave of the veteran, and may supply and use, at his or her own expense, a suitable flag holder. The privately owned cemetery is not responsible for placing the United States flag or flag holder on the grave of the veteran. The privately owned cemetery may remove the flag and flag holder if they are not removed by the family member who made the request.

(4) In the case of a mausoleum or other burial chamber containing the graves of more than 1 veteran, a privately owned cemetery need only supply 1 United States flag for placement at the mausoleum or burial chamber to memorialize all of those veterans' graves.

**History:** Add. 1988, Act 263, Imd. Eff. July 15, 1988.

**35.833 Taking down, destroying, defacing, carrying away, or possessing flag holder or flag as misdemeanor; penalty.**

Sec. 3. A person who willfully takes down, destroys, defaces, or carries away or possesses a flag holder or other design or memorial flag placed at a grave for memorial purposes without authority from the owner of the cemetery or the person causing the flag holder or other design or memorial flag to be placed in the cemetery or at the grave is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than \$5.00 or more than \$500.00, or both.

**History:** 1915, Act 63, Imd. Eff. Apr. 20, 1915;—CL 1915, 1064;—CL 1929, 938;—CL 1948, 35.833;—Am. 1979, Act 142, Imd. Eff. Nov. 8, 1979;—Am. 1996, Act 281, Imd. Eff. June 17, 1996.

**MILITARY FAMILY RELIEF FUND ACT**  
**Act 363 of 2004**

AN ACT to establish the military family relief fund in the department of military and veterans affairs to provide assistance to families of certain members of the reserve components of the United States armed forces on active duty; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

History: 2004, Act 363, Imd. Eff. Oct. 6, 2004.

*The People of the State of Michigan enact:*

**35.1211 Short title.**

Sec. 1. This act shall be known and may be cited as the "military family relief fund act".

History: 2004, Act 363, Imd. Eff. October 6, 2004.

**35.1212 Definitions.**

Sec. 2. As used in this act:

- (a) "Department" means the department of military and veterans affairs.
- (b) "Family" or "families" means the military dependents as determined by the qualified individual's branch of service.
- (c) "Fund" means the military family relief fund created in section 3.
- (d) "Qualified individual" means an individual who meets all of the following criteria:
  - (i) The individual is or was a member of a reserve component of the United States armed forces based in this state or who is a resident of this state serving in a reserve component of the United States armed forces based in another state and is called to active duty by the president of the United States or the United States secretary of defense as a result of national response to September 11, 2001 or as a response to a national emergency declared by the president of the United States and for which funds are being spent by the federal government.
  - (ii) The individual's family can document the need for financial assistance for clothing, food, housing, utilities, medical services or prescriptions, insurance payments, vehicle payments, or other related necessities of daily living in either of the following situations:
    - (A) The need occurred during the time the individual is on active duty.
    - (B) The need occurred because the individual has incurred a line of duty injury or illness.
- (e) "Reserve components of the United States armed forces" means all of the following:
  - (i) The army national guard of the United States.
  - (ii) The army, naval, marine corps, air force, and coast guard reserves.
  - (iii) The air national guard of the United States.

History: 2004, Act 363, Imd. Eff. Oct. 6, 2004.

**35.1213 Military family relief fund; creation as separate fund; expenditures; amounts credited; investment; availability of funds for disbursement; lapse.**

Sec. 3. (1) The military family relief fund is created as a separate fund in the department to offer grants to provide assistance to families of qualified individuals.

(2) The military family relief fund shall be expended only as provided in this act.

(3) The state treasurer shall credit to the fund all amounts designated for the fund pursuant to section 438 of the income tax act of 1967, 1967 PA 281, MCL 206.438.

(4) The state treasurer shall direct the investment of the fund money in the same manner as other funds are invested. The state treasurer shall credit to the fund the interest and earnings from the fund.

(5) Money deposited, funds granted, or funds received as gifts or donations to the fund shall be available for disbursement when deposited.

(6) Money in the fund at the close of the state fiscal year shall remain in the fund and shall not lapse to the general fund.

History: 2004, Act 363, Imd. Eff. Oct. 6, 2004.

**35.1214 Use of money.**

Sec. 4. (1) Each year that the contribution designation program under section 438 of the income tax act of 1967, 1967 PA 281, MCL 206.438, is in effect, an amount equal to the cumulative designations, plus interest and dividends earned, made under that section shall be appropriated from the general fund to the fund for use

solely in support of the purposes provided in this act. No money from the fund shall be used for the purpose of administering the fund or implementing section 438 of the income tax act of 1967, 1967 PA 281, MCL 206.438.

(2) The money in the fund shall not be used by the department to replace funds otherwise designated to support similar programs within the department.

**History:** 2004, Act 363, Imd. Eff. Oct. 6, 2004.

**35.1215 Grant application; criteria; review; determination; notice; denial; distribution; maximum amount.**

Sec. 5. (1) A qualified individual or the individual's family shall apply to the department for a grant from the fund. A qualified individual or the individual's family may apply for more than 1 grant in any year.

(2) At the time that a qualified individual or the individual's family applies for a grant from the fund, the department shall provide the applicant with copies of financial planning materials and information at no cost to the applicant.

(3) The department shall determine criteria and review applications for grants from the fund.

(4) The department shall determine if the applicant is eligible for a grant from the fund and shall determine the amount of the individual's grant.

(5) Not more than 30 days after the department receives an application, the department shall notify the applicant of the receipt of the application and the status of the application which shall be 1 of the following:

(a) The applicant is eligible for a grant, the date when the applicant will receive that grant, and the amount of the grant.

(b) The applicant is eligible for a grant but no funds are available and the application will be kept on file until money becomes available.

(c) The applicant is not eligible for a grant and the reasons why.

(6) If an application is denied because the applicant is not eligible, the applicant is not prohibited from subsequently applying for a grant for that purpose or any other purpose.

(7) Within the first 30 days of each calendar year, the department shall begin to distribute the money that was in the fund at the end of the immediately preceding state fiscal year to grant applicants until the money in the fund is exhausted.

(8) The maximum total amount that any qualified individual and that qualified individual's family can receive in any 1 calendar year is \$2,000.00. If the department determines that the qualified individual or the qualified individual's family is in an emergency situation or their needs are extreme, the department may waive the maximum under this subsection.

**History:** 2004, Act 363, Imd. Eff. Oct. 6, 2004.

**35.1216 Rules.**

Sec. 6. The department may promulgate rules that it considers necessary to implement this act pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

**History:** 2004, Act 363, Imd. Eff. Oct. 6, 2004.

**WIDOWS, WIVES, AND MOTHERS**  
**Act 15 of 1921**

AN ACT prescribing the qualifications for admission to the veterans' facility for the widows, widowers, former spouses, spouses, and parents of former members of the armed forces of the United States; and repealing all acts and parts of acts inconsistent herewith.

**History:** 1921, Act 15, Imd. Eff. Mar. 30, 1921;—Am. 1952, Act 94, Eff. Sept. 18, 1952;—Am. 1982, Act 180, Imd. Eff. June 14, 1982.

**Compiler's note:** For transfer of powers and duties of the State Veterans' Facilities of Michigan and the Board of Managers from the Department of Public Health to the Department of Military Affairs, see E.R.O. No. 1991-7, compiled at MCL 36.71 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

**36.31 Veterans' facility; qualifications and conditions for admission of widows, widowers, former spouses, and spouses of members of armed forces; admission of parents.**

Sec. 1. (1) The qualifications for admission to residence in a veterans' facility for the widows, widowers, former spouses, and spouses of any member of the armed forces of the United States who was honorably discharged, shall be as follows: The widow, widower, former spouse, or spouse, of any member of the armed forces of the United States who was honorably discharged from the armed forces, who served in the Mexican war, the war of the rebellion, the Spanish-American war, the war in the Philippines, the first world war, the second world war, or in any other war, campaign, or expedition in which the armed forces of the United States have been, are, or may be, participants, for not less than 90 days shall be eligible for admission into a veterans' facility. However, in the case of the widows, widowers, former spouses, and spouses, the former spouse, spouse, widower, or widow shall be at least 60 years of age at the time of making application for admission. Any former spouse, spouse, widower, or widow of any of the veterans of any class mentioned who has established residency in this state at the time of making his or her application for admission and who is disabled or unable to earn a living may be eligible for admission notwithstanding the limitations otherwise provided for in this section. If any widow, widower, or former spouse who may be eligible for membership under his or her first spouse should remarry, he or she will forfeit all rights to a veterans' facility and cannot again claim membership under his or her first spouse.

(2) The board of managers of the veterans' facilities may prescribe as a condition for admission that all applicants be charged maintenance in the same manner as members who qualify for membership as former members of the armed forces of the United States, which maintenance shall be paid to the adjutant of the veterans' facilities in advance, not later than the fifth day of each month. Failure to comply with any condition shall be cause for dismissal from a veterans' facility. The money received shall be turned over to the state treasury and credited to the veterans' facilities operations fund. The board of managers of the veterans' facilities also may make a condition for admission to the veterans' facilities that all applicants shall assign to the board of managers any balance of money accumulated while a member of a facility or on deposit with any bank, trust company, corporation, or individual at the time of the death of the applicant. All sums shall be paid to the spouse, minor children, or dependent mother or father, in the order named, and, if no such relative shall be found within a period of 2 years, or if no claim has been made within a period of 2 years, the balance of any money shall be paid into a fund in the hands of the adjutant of the veterans' facilities to be expended under the direction of the board of managers to improve the service of the veterans' facilities.

(3) The parent of any member of the armed forces of the United States who was honorably discharged from the armed forces who served in any of the wars described in subsection (1) may be admitted upon the approval of the board of managers, under rules and conditions as the board may prescribe.

**History:** 1921, Act 15, Imd. Eff. Mar. 30, 1921;—CL 1929, 797;—Am. 1933, Act 232, Imd. Eff. July 6, 1933;—CL 1948, 36.31;—Am. 1952, Act 94, Eff. Sept. 18, 1952;—Am. 1958, Act 188, Eff. Sept. 13, 1958;—Am. 1982, Act 180, Imd. Eff. June 14, 1982;—Am. 1982, Act 392, Eff. Mar. 30, 1983.

**Compiler's note:** For transfer of powers and duties of the State Veterans' Facilities of Michigan and the Board of Managers from the Department of Public Health to the Department of Military Affairs, see E.R.O. No. 1991-7, compiled at MCL 36.71 of the Michigan Compiled Laws.

For transfer of authority, powers, duties, functions, and responsibilities of the State Veterans' Facilities of Michigan and Board of Managers created under Act 152 of Public Acts of 1885, as amended being Sections 36.1 to 36.12 of the Michigan Compiled Laws and certain other associated functions, from the Department of Public Health to the Department of Military Affairs, see E.R.O. No. 1992-1, compiled at MCL 36.71 of the Michigan Compiled Laws.

### **36.32 Construction of act.**

Sec. 2. This act shall be construed as supplemental to any and all acts relating to the Michigan soldiers' home and to the home for the widows, wives and mothers established in connection therewith.

**History:** 1921, Act 15, Imd. Eff. Mar. 30, 1921;—CL 1929, 798;—CL 1948, 36.32.

**Compiler's note:** For transfer of powers and duties of the State Veterans' Facilities of Michigan and the Board of Managers from the Department of Public Health to the Department of Military Affairs, see E.R.O. No. 1991-7, compiled at MCL 36.71 of the Michigan Compiled Laws.

For transfer of authority, powers, duties, functions, and responsibilities of the State Veterans' Facilities of Michigan and Board of Managers created under Act 152 of Public Acts of 1885, as amended being Sections 36.1 to 36.12 of the Michigan Compiled Laws and certain other associated functions, from the Department of Public Health to the Department of Military Affairs, see E.R.O. No. 1992-1, compiled at MCL 36.71 of the Michigan Compiled Laws.

**COUNTY DEPARTMENT OF VETERANS' AFFAIRS**  
**Act 192 of 1953**

AN ACT to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties.

History: 1953, Act 192, Eff. Oct. 2, 1953.

*The People of the State of Michigan enact:*

**35.621 County department of veterans' affairs; creation; administration; committee; appointment, qualifications, and terms of members; vacancies.**

Sec. 1. The county board of commissioners may create a county department of veterans' affairs. The department shall be under the administration of a committee of 3 to 5 veterans, appointed by the county board of commissioners, who shall be residents of the county and who have served honorably on active duty in the United States armed forces or who served actively in the United States armed forces in a war or received an armed forces campaign or service medal, to be appointed upon the recommendation of the posts of each chartered veterans' organization within the county. If an opening on a committee of veterans occurs, the county board of commissioners shall provide notice of that opening to 1 or more newspapers within the county and to veteran service organizations within the county. Not more than 2 members shall be representative of a single war or conflict. Notwithstanding the provisions of any law of this state to the contrary, a member of the board of commissioners of a county shall be eligible for appointment. Members appointed by the board of commissioners shall be appointed for a term of 4 years each. However, the terms for members first appointed shall be staggered so that not more than 2 vacancies are scheduled to occur in a single year. Vacancies shall be filled in the same manner as original appointments for the unexpired terms.

History: 1953, Act 192, Eff. Oct. 2, 1953;—Am. 1958, Act 156, Eff. Sept. 13, 1958;—Am. 1968, Act 204, Imd. Eff. June 24, 1968;—Am. 1973, Act 153, Imd. Eff. Dec. 6, 1973;—Am. 1996, Act 108, Imd. Eff. Mar. 5, 1996;—Am. 2004, Act 11, Imd. Eff. Feb. 26, 2004

**35.622 Soldiers' relief commission; abolition, transfer of powers and duties to county department of veterans' affairs.**

Sec. 2. In any county in which the board of supervisors adopts the provisions of this act, section 2 of the act creating the soldiers' relief commission created under the provisions of Act No. 214 of the Public Acts of 1899, as amended, being section 35.22 of the Compiled Laws of 1948, is hereby declared to be inoperative and the powers and duties of commission are hereby transferred to the county department of veterans' affairs created under the provisions of this act, and wherever soldiers' relief commission is used in Act No. 214 of the Public Acts of 1899, as amended, and Act No. 235 of the Public Acts of 1911, as amended, being sections 35.801 to 35.804 of the Compiled Laws of 1948, it shall mean the county department of veterans' affairs herein created.

History: 1953, Act 192, Eff. Oct. 2, 1953;—Am. 1958, Act 156, Eff. Sept. 13, 1958.

**35.623 Administrative committee of county department; selection of officers, expenses; veterans' service officer, appointment; offices.**

Sec. 3. The committee shall select a chairman and a secretary. The committee is authorized to incur such expense as shall be necessary in carrying out the provisions of this act within the budget set up by the board of supervisors. The members of the committee shall be entitled to receive the same per diem and mileage in attending meetings as members of the board of supervisors. The committee shall appoint a veterans' service officer and such other employees as shall be necessary from time to time to carry out the provisions of this act. In the selection of the veterans' service officer hereby authorized, the committee shall consult with and request the assistance of any association or council of organized veterans in such county, and any recommendation from such association or council of veterans as to the personnel to be appointed by said committee under the provisions of this act, while not binding on said committee, shall be given the greatest consideration. The board of supervisors shall furnish, equip and maintain reasonably adequate office facilities for the county department of veterans' affairs.

History: 1953, Act 192, Eff. Oct. 2, 1953.

**35.624 County department; powers and duties.**

Sec. 4. The county department of veterans' affairs shall perform such duties and exercise such powers as shall be necessary in carrying out the provisions of this act and any and all other benefits to which veterans



may be entitled as prescribed by the county department of veterans' affairs.

**History:** 1953, Act 192, Eff. Oct. 2, 1953.

**OPTIONAL UNIFIED FORM OF COUNTY GOVERNMENT (EXCERPT)**  
**Act 139 of 1973**

**45.554 Abolition of certain offices, boards, commissions, authorities, or departments; termination of tenure; former powers as general county government powers; powers and duties of excepted boards or commissions; certain powers neither minimized nor divested; method of appointing veterans; powers vested in county department of veterans' affairs administrative committee or soldiers' relief commission.**

Sec. 4. (1) On the date the optional unified form of county government becomes effective, all appointed boards, commissions, and authorities except the apportionment commission, airport zoning board of appeals, board of county canvassers, board of determination for a drainage district, civil service commission, county drainage board, county department of veterans' affairs administrative committee or soldiers' relief commission, concealed weapons licensing board, election commission, jury commission, library commission, parks and recreation commission, social services board, tax allocation board, a board established to oversee retirement programs, a plat board, a mental health board, a hospital board, an intercounty drainage board, and a building authority established by the county individually or in conjunction with another unit of government and the boards of county road commissioners; and all elective county offices except those of county commissioner, prosecuting attorney, clerk, register of deeds, treasurer, sheriff, and drain commissioner are abolished and the tenure of persons holding the office or appointment is terminated. Termination shall take effect whether or not it coincides with the end of a term of office or appointment. All county departments in conflict with the departmental organization established by this act are abolished. As used in this act, "department" or "county department" shall not include boards of county road commissioners. \*

(2) On the date the optional unified form of county government becomes effective, powers vested in an abolished office, board, commission, authority, or department shall become general county government powers, and functions performed by the abolished office, board, commission, authority, or department shall be administered by the county executive or county manager in the manner determined by the county board of commissioners.

(3) A board or commission which is excepted from this act pursuant to subsection (1) shall exercise the powers and duties as provided by law.

(4) The power vested in the office of county prosecuting attorney, county sheriff, county register of deeds, county clerk, county treasurer, county drain commissioner, or the board of county road commissioners, shall not be minimized or divested by this act.

(5) The method of appointing veterans to and the power vested in a county department of veterans' affairs administrative committee pursuant to Act No. 192 of the Public Acts of 1953, as amended, being sections 35.621 to 35.624 of the Michigan Compiled Laws, or a soldiers' relief commission pursuant to Act No. 214 of the Public Acts of 1899, as amended, being sections 35.21 to 35.27 of the Michigan Compiled Laws, shall not be affected, minimized, or divested, except as follows:

(a) Budgeting, procurement, office facilities and equipment, employment, and related management functions shall be performed under the direction and supervision of the county manager or executive. \*

(b) The employment of veterans' service officer shall be subject to approval of the department of veterans' affairs administrative committee or soldiers' relief commission.

**History:** 1973, Act 139, Eff. Mar. 29, 1974;—Am. 1978, Act 9, Imd. Eff. Feb. 7, 1978;—Am. 1980, Act 100, Imd. Eff. Apr. 19, 1980

**VETERANS SERVICES  
BACKGROUND MATERIAL**

109,480 population of Bay County in 2004.

**Table Based on Census 2000 Data**

<b>Governmental Unit</b>	<b>Percent of Veterans</b>	<b>Population Base</b>	<b>Veterans</b>	<b>Disabled Veterans</b>
Bangor Twp.	14.80%	11,919	1,764	326
Beaver Twp.	13.50%	2,100	284	52
City of Auburn	14.10%	1,495	211	39
City of Bay City	13.90%	27,456	3,816	706
City of Essexville	13.70%	2,527	346	64
City of Pinconning	12.70%	999	127	23
Frankenlust Twp.	15.50%	1,985	308	57
Fraser Twp.	14.10%	2,568	362	67
Garfield Twp.	12.30%	1,309	161	30
Gibson Twp.	11.00%	865	95	18
Hampton Twp.	14.90%	7,678	1,144	212
Kawkawlin Twp.	13.70%	3,962	543	100
Merrit Twp.	10.40%	1,117	116	21
Midland City	19.20%	151	29	5
Monitor Twp.	14.50%	7,897	1,145	212
Mt. Forest Twp.	15.40%	1,049	162	30
Pinconning Twp.	15.20%	2,013	306	57
Portsmouth Twp.	16.60%	2,775	461	85
Williams Twp.	12.40%	<u>3,279</u>	<u>407</u>	<u>75</u>
Totals		83,144	11,785	2,180

## **Veterans Services - Background Reading**

### **State Resources:**

<http://www.michigan.gov/dmva>

<http://www.michigan.gov/miseniors>

<http://www.legislature.mi.gov/>

### **Federal Resources:**

<http://www.va.gov/>

<http://www.vba.va.gov/>

### **Miscellaneous:**

<http://www.macvc.net>

**Michigan Association of County Veterans Counselors**

<http://www.baycounty-mi.gov>

**Bay County's website**

<http://www.purpleheart.org>

**Military Order of the Purple Heart**

<http://members.tripod.com/>

**American Legion Internet Directory**

<http://www.dav.org/>

**Disabled American Veterans**

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